

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : **To Be Assigned** Confirmation No. **TBA**
Applicant(s) : **MAIOCCO, James N. et al.**
Filed : **Concurrent Herewith**
TC/A.U. : **To Be Assigned**
Examiner : **To Be Assigned**
Title : **System and Method for Monitoring Global Network Performance**

Docket No. : **044897.002**
Customer No. : **25461**

INFORMATION DISCLOSURE STATEMENT

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

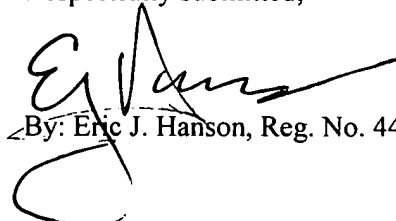
Sir:

Pursuant to the duty of disclosure under 37 C.F.R. 1.56, Applicants are enclosing an Information Disclosure Statement by Applicant (Form PTO/SB/08b) and copies of the non-patent documents cited therein. The non-patent documents are printouts of online Internet publications that do not include dates for such references, except for the first reference listed on Form PTO/SB/08b. Applicants further have no information to determine whether or not the same is prior art.

It is respectfully requested that the cited documents be considered by the Examiner in the above-identified patent application and that the cited documents be made officially of record therein. It is further requested that a listing of the same appear on the face of any patent which may issue from this application.

A first Official Action has not yet issued for this application. Therefore, it is believed that no fees are due under 37 C.F.R. Section 1.97(b)(3).

Respectfully submitted,


By: Eric J. Hanson, Reg. No. 44,738

Dated: January 23, 2004
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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

2

Complete if Known

Application Number

To Be Assigned

Filing Date

Concurrent Herewith

First Named Inventor

MAIOCCO, James N. et al.

Art Unit

To Be Assigned

Examiner Name

To Be Assigned

Attorney Docket Number

044897.002

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ESTAN, Christian, et al., "New Directions in Traffic Measurement and Accounting," SIGCOMM'02, August 19-23, 2002, Pittsburgh, PA	
		GUNDUZ, Gurhan, et al., "A Portal Based Approach to Viewing Aggregated Network Performance Data in Distributed Brokering Systems"	
		SAHAI, Akhil, et al., "Towards Distributed and Dynamic Network Management"	
		"NetScout, Unified Network and Application Performance Management Solution"	
		www.infovista.com , InfoVista, Server web pages	
		www.activexperts.com , ActiveXperts, ActiveXperts Network Monitor 5.3 web pages	
		www.clearpathnet.com , ClearPath Networks, Network Monitoring web pages	
		solarwinds.net, SolarWinds.net Network Management, Network Performance Monitor web pages	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet	1	of	2
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<i>Application Number</i>	To Be Assigned
<i>Filing Date</i>	Concurrent Herewith
<i>First Named Inventor</i>	MAIOCCO, James N
<i>Art Unit</i>	To Be Assigned
<i>Examiner Name</i>	To Be Assigned
<i>Attorney Docket Number</i>	044897.002

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Date Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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